

court an information against the Creo-Chemical Co., a corporation, trading at San Antonio, Tex., and William M. Morgan, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about November 23, 1932, from the State of Texas into the State of Indiana, of a quantity of Cre-Cal-Co, which was misbranded. The article was labeled in part: "Cre-Cal-Co. Copyright 1922 by George McDaniel Callaway * * * Manufactured by Creo-Chemical Company."

Analysis of a sample showed that the article consisted essentially of a small proportion of a phenolic substance such as creosote and approximately 99 percent water.

The information charged that the article was misbranded in that certain statements regarding its curative and therapeutic effects, appearing on the bottle and carton labels, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for la grippe, influenza, pneumonia, chronic catarrh, bronchitis, tuberculosis and any germ infection; effective as of great value in all acute germ infection; effective as of great value in the treatment of all germ conditions and of the greatest value in all acute germ infections; and effective to insure constitutional benefit and as a treatment for all affections of the nose, throat, and lungs, and for deep-seated germ infection, acidosis, and poor elimination.

On October 13, 1934, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

M. L. WILSON, *Acting Secretary of Agriculture.*

23240. Misbranding of Epsom salt, U. S. v. 1,461 Five-Pound Bags of Epsom Salt. Decree of condemnation with provision for release under bond conditioned that containers be destroyed. (F. & D. no. 31542. Sample no. 43598-A.)

This case involved a shipment of Epsom salt, the labels of which bore unwarranted curative and therapeutic claims.

On November 9, 1933, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,461 five-pound bags of Epsom salt at Albany, N. Y., alleging that the article had been shipped in interstate commerce, on or about September 5, 1933, by the Texaco Salt Products Co., from Tulsa, Okla., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Epsom Salt U. S. P. National Pharmacy Co., New York."

The article was alleged to be misbranded in that the following statements on the package containing the article, regarding its curative or therapeutic effects, were false and fraudulent: "Beneficial in Rheumatic Conditions. Aids in the Reducing of Adipose Tissue. Relieves * * * Aching Feet, * * * For reducing * * * For—Aching Feet."

On March 24, 1934, McKesson & Robbins, Inc., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product might be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, or the deposit of cash collateral in like amount conditioned that it should not be disposed of in violation of the law, and that the containers be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23241. Misbranding of Mi-Cro-Line Bladder and Kidney Remedy. U. S. v. 33 Bottles of Mi-Cro-Line Bladder and Kidney Remedy. Default decree of condemnation and destruction. (F. & D. no. 31807. Sample no. 52735-A.)

This case involved a drug preparation, the labels of which contained unwarranted curative and therapeutic claims.

On January 10, 1934, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 bottles of Mi-Cro-Line Bladder and Kidney Remedy at Tucson, Ariz., alleging that the article had been shipped in interstate commerce, on or about June 5, 1933, by the Eucaline Medicine Co., from Dallas, Tex., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of volatile oils including eucalyptus oil and methyl salicylate (75 percent), benzoic acid (approximately 1 percent), and a nonvolatile oil (approximately 24 percent).

The libel charged that the article was misbranded in that the statement on the carton, "Guaranteed under the Food and Drugs Act, June 30, 1906, No. 1842", was misleading, since it created the impression that the article had been examined and approved by the Government and that the Government guaranteed that it complied with the law; whereas it had not been so approved, and the Government did not guarantee that it complied with the law. Misbranding was further charged in that certain statements on the carton and bottle label, and in the circular, falsely and fraudulently represented that it was effective in the treatment of bladder and kidney troubles, gravel, diabetes, seminal emission, weak and lame back, catarrh of the bladder, incontinence of urine, dropsy and all irregularities of the bladder and kidneys in either sex, bladder troubles in children, bed-wetting in children, stone in the bladder, inflammation and irritation of the bladder and kidneys; and effective as a treatment of brick dust deposits, highly colored urine, uric acid poison, hemorrhage of the kidneys, urinary troubles, such as stoppage of the urine, calculi, gravel, cystitis, retention of the urine, painful urination, backache, scanty urine, gall stones, tired feeling, sleeplessness, feeling of weakness, nervousness, etc., swelling of feet and ankles, acute and chronic rheumatism, gout, anaemia, headache, neuralgia, pain in the joints and hips, tired feeling, blood diseases, catarrh, scrofula, cancerous sores, boils, and all forms of skin diseases; effective as a treatment of kidney and bladder troubles in women which cause pain or weight in loins, backache, swelling of limbs or feet, swelling under the eyes, uneasy and tired feeling in the region of the kidneys, depression of spirits, reluctance to go anywhere or do anything, dragging sensations, nervousness, and sleeplessness, and which are commonly mistaken for female diseases; effective as a treatment of kidney trouble which affects the heart action, brain power, stomach, digestive organs, deranges the liver, and throws the whole system out of order; and as effective to give new energy, life and power to the kidneys, new color to the blood, new life to the body, vigor to the mind, and to strengthen the muscles.

On October 20, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23242. Misbranding of Double-Duty Poultry Wormers. U. S. v. 137 Packages of Double-Duty Poultry Wormers. Consent decree of condemnation and destruction. (F. & D. no. 32062. Sample no. 63617-A.)

This case involved a drug preparation, the labels of which contained unwarranted curative and therapeutic claims.

On March 2, 1934, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 137 packages of Double-Duty Poultry Wormers at Topeka, Kans., alleging that the article had been shipped in interstate commerce on or about January 2, 1934, by the Concentrate Products Co., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of materials derived from plant drugs including kamala, areca-nut, and a laxative drug, and mercurous chloride (0.8 percent).

The article was alleged to be misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent: (Carton) "Double Duty Poultry Wormers * * * removes tape worms and large round worms (Ascaridia) from all kinds of poultry"; (circular) "Double-Duty-Poultry Wormers * * * Expel both large Round Worms and Tape Worms from Poultry. Symptoms of Worms Poultry infested with only a few worms may show no physical evidence of their presence, but worms multiply rapidly when left alone. The first sign of infestation is usually loss of vigor; then gradual loss of flesh; plumage gets dull; eyes pale and shrunken. Frequently a paralytic condition of the legs, wings or neck develops. Birds often go blind—egg production drops and mortality is high especially among young stock. It is safe to suspect worms of being a contributing factor whenever a flock shows signs of losing its natural vigor. Worm Control Control measures to protect poultry against the ravages of intestinal parasites—round worms and tape worms—to be successful must consist of an adequate sanitation program and intelligent medica-